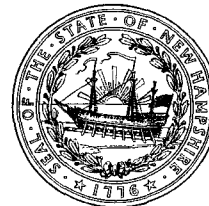




The State of New Hampshire  
**Department of Environmental Services**



Michael P. Nolin  
Commissioner

July 13, 2005

**CERTIFIED MAIL**  
**7000 1670 0001 2915 7394**  
**RETURN RECEIPT REQUESTED**

**NOTICE OF PAST VIOLATION**

Millipore Corporation  
11 Prescott Road  
Jaffrey, NH 03452

Attn: Grace McGlynn, General Manager

**Re: Millipore Corporation**  
**Jaffrey, New Hampshire**  
**EPA ID # NHD062002035**

Dear Ms. McGlynn:

On April 5, 2005, the Department of Environmental Services, Waste Management Division ("DES") conducted an inspection of Millipore Corporation ("Millipore") in Jaffrey, NH. The purpose of the inspection was to determine Millipore's compliance status relative to RSA Ch. 147-A and the New Hampshire Hazardous Waste Rules, Env-Wm 100-1100.

As a result of the inspection, the following deficiencies in your hazardous waste management program were documented:

1. Env-Wm 502.01 – Hazardous Waste Determination

At the time of the inspection, no formal hazardous waste determination had been performed for the waste "lab pack" material stored in the main hazardous waste storage area.

Env-Wm 502.01 requires that all generators of waste determine if their waste is a hazardous waste. Waste determined to be hazardous must be handled pursuant to the requirements of the Hazardous Waste Rules.

DES requested that Millipore develop a procedure to ensure that a complete hazardous waste determination is performed on waste "lab pack" material when it is generated.

*In a April 11, 2005 email, Steven Dark, Manager, Health, Safety & Environmental Engineering, stated that the "lab pack" material will be segregated by EPA waste code and placed into appropriately labeled totes. No further action is required.*

2. Env-Wm 507.03(a)(1)d. - Container Marking

At the time of the inspection, seven (7) containers of hazardous waste stored in the 90 day storage area were not marked with the EPA or state waste number. See the attached Container Inventory ("Inventory").

Env-Wm 507.03(a)(1)d. requires that all containers and tanks used for the storage of hazardous waste to be marked with the EPA or state waste number.

DES requested that Millipore properly mark all containers and tanks of hazardous waste at the time they are first used to store waste with the EPA or state waste number.

*In the April 11, 2005 email, Steven Dark stated that the hazardous waste labels had been corrected to include the appropriate waste code. No further action is required.*

3. Env-Wm 509.02(a)(5) – Contingency Plan

A review of Millipore's contingency plan revealed deficiencies regarding the following:

- (a) Instructions for the emergency coordinator to immediately identify the character, exact source, amount, and real extent of any released materials;
- (b) Instructions for the emergency coordinator to assess possible hazards to human health or the environment as a result of the emergency situation;
- (c) Instructions to notify DES if human health or the environment are threatened and to include in the notification, the items listed in 40 CFR 265.56(d)(2)(i)-(vi);
- (d) Instructions to monitor equipment in the event of a work stoppage;
- (e) Instructions to ensure that a waste that is incompatible with the released material is not treated, stored, or disposed of until cleanup procedures are completed; and
- (f) Instructions to notify local authorities that the facility is in compliance with 40 CFR 265.56(h)(1) & (2) before resumption of activities.

Env-Wm 509.02(a)(5), which references 40 CFR 265, Subpart D, requires full quantity generators to maintain a complete contingency plan at the site.

DES requested Millipore to revise and update its contingency plan to correct any deficiencies as identified in the enclosed Contingency Plan Module.

*On July 7, 2005, Mr. Jeff Cady, Health Safety Engineer, provided a revised and updated contingency plan to DES. No further action is required.*

4. Env-Wm 509.03(g) – Satellite Storage Requirements

At the time of the inspection, fourteen (14) satellite storage containers (small Styrofoam boxes) of hazardous waste “COD vials,” observed in the wastewater treatment operating room, were not marked with words that identify the contents of the container (see the attached Inventory).

Env-Wm 509.03(g) requires that at the time a satellite storage container is first used to store wastes, the hazardous waste container is marked with the words “hazardous waste” and with words that identify the contents of the container.

DES requested that Millipore properly mark all satellite containers of hazardous waste with the words “hazardous waste” and words that identify the contents of the container.

*In the April 11, 2005 email, Steven Dark stated that the satellite containers, located in the wastewater treatment operating room, had been properly labeled as hazardous waste. No further action is required.*

5. Env-Wm 807.06(b)(4) - Standards for Generators of Used Oil Being Recycled

At the time of the inspection, Millipore was storing one (1) 5-gallon container of used oil destined for recycling, in the casting plant loading dock area which was not labeled with the words “Used Oil for Recycle.”

Env-Wm 807.06(b)(4) requires that generators of used oil destined for recycling label their containers and tanks with the words “Used Oil for Recycle” at all times during accumulation and storage.

DES requested that Millipore label all containers of used oil destined for recycle with the words “Used Oil for Recycle” at all times during accumulation and storage.

*In the April 11, 2005 email, Steven Dark stated that the used oil for recycle container in the casting plant loading dock area had been properly labeled with the words “used oil for recycle.” No further action is required.*

6. Env-Wm 1102.03(c) – Universal Waste Lamp Management

At the time of the inspection, five (5) containers of universal waste lamps were not closed (see the attached Inventory).

Env-Wm 1102.03(c)(1) requires universal waste containers to be closed, except when universal waste is being added to or removed from the container.

DES requested that Millipore ensure that all containers of universal waste lamps are closed, except when universal waste is being added to or removed from the container.

*In the April 11, 2005 email, Steven Dark stated that the universal waste lamp containers are kept closed when not being added to. No further action is required.*

DES believes the deficiencies identified during the inspection have been corrected and acknowledges receipt of documents that corroborate the corrective measures taken by Millipore to achieve compliance. Accordingly, no further action in response to the listed deficiencies is required. However, DES personnel may re-inspect your facility at a later date to determine whether the facility is maintaining full compliance with the applicable rules. Fines may also be pursued for any or all violations observed during this or subsequent inspections of the facility.

Enclosed you will find a copy of the completed Hazardous Waste Generator Inspection Report which documents the compliance status of your facility at the time of the inspection. This report may also be of value to you for use in determining future compliance with the New Hampshire Hazardous Waste Rules.

The State of New Hampshire Hazardous Waste Rules, as well as much other useful information, can be obtained from DES's website at <http://www.des.state.nh.us/hwcs/>, or by contacting the Public Information Center at (603) 271-2975.

It is the goal of DES to promote the prevention of pollution at the source as the preferred option for meeting established environmental quality goals. We strive to ensure that pollution prevention options are considered first, followed by recycling, treatment and disposal. I am requesting that the DES's Pollution Prevention Coordinator, Stephanie D'Agostino, contact you to discuss possibilities for waste minimization or source reduction at your facility. In the meantime, if you have immediate questions about pollution prevention, please feel free to contact her at 271-6398.

As a service to New Hampshire's hazardous waste generators, the Division currently maintains a Hazardous Waste Assistance Hotline which is available for the public to contact our knowledgeable staff of hazardous waste inspectors. The hazardous waste staff members are available to answer questions concerning the New Hampshire Hazardous Waste Rules and the compliance issues which affect your hazardous waste management program, including the administrative plans and documents required under the Hazardous Waste Rules. The technical assistance available through the Hotline includes fact sheets that pertain to the management and recycling of specific wastes, summary sheets on specific sections of the Hazardous Waste Rules, copies of EPA and New Hampshire hazardous waste policies, regulatory interpretation letters and networking with other state or federal agencies to answer any questions at a national level. The Hotline is available Monday through Friday, 8:00 AM to 4:00 PM toll-free at (1-866) HAZ-WAST (in-state only) or at (603) 271-2942.

Should you have any questions regarding this letter, please contact the lead inspector, Robert Bishop, or Tod Leedberg of the Hazardous Waste Compliance Bureau at 271-2942. Thank you for your cooperation.

Sincerely,

~~COPY~~

John J. Duclos, Administrator  
Hazardous Waste Compliance Bureau  
Waste Management Division

cc: DB/RCRA/LOD/Archives  
Anthony P. Giunta, P.G., Director, WMD  
Paul L. Heirtzler, P.E., Esq., Administrator, Waste Management Programs, WMD  
Gretchen Hamel, Administrator, DES Legal Unit  
Steven C. Dark, Manager, Health, Safety, & Environmental Engineering, Millipore Corporation,  
11 Prescott Road, Jaffrey, NH 03452

E-mail: JJD/SD

Enclosure: Hazardous Waste Generator Inspection Report